

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JACKIE BRASWELL, JUDY BRASWELL,)
HAROLD COLLINS, BONNIE COLLINS)
Individually and as Executor of the Estate of)
HOMER WADE YARBROUGH, HAYMON)
HICKS, PENNY HICKS, GINA MYERS)
SHAW, JAMES SLONE, DEBBIE SLONE,)
JERRY SMITH, KAREN SMITH, PAMELA)
LOVELESS, KATHY MILLER,)
JOEY SMITH, and SHANIA SMITH)

Case No. _____

Plaintiffs,)
)
)

v.)
)
)

COLONIAL PIPELINE COMPANY, and)
APEX COMPANIES, LLC,)
)
)

Defendants.)
_____)

AFFIDAVIT OF MATTHEW C HARDESTY

Personally appeared before the undersigned officer, duly authorized by law to administer oaths, Matthew C Hardesty, who, after first being duly sworn, states as follows:

1. My name is Matthew C Hardesty. I am over eighteen (18) years of age and under no legal disability. I have personal knowledge of the facts stated in this Affidavit and believe them to be true and correct.

2. I am the Controller at Apex Companies, LLC ("Apex"). In that capacity, I have authority to bind the company and have personal knowledge of the corporate structure of Apex.

3. Apex is a limited liability company. Apex has two members: TW Apex, Inc. and TW Apex Holdings, LLC.


4. TW Apex, Inc. is a Delaware corporation. Its headquarters and principal place of business is located in the State of Maryland.

5. TW Apex Holdings, LLC is a Delaware limited liability company. Its headquarters and principal place of business is in the State of Maryland. None of TW Apex Holdings, LLC's members are citizens of North Carolina.

Further affiant sayeth not.


Affiant

Sworn to and subscribed before me
This 28 day of June, 2018.


Notary public

My commission expires 6/21/19.

